



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **C-1**

September 7, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
SUPERVISORIAL DISTRICTS 1 AND 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works or his designee to prepare the construction and maintenance services contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. FMD0002042 - San Gabriel River Clearing 2004, Cities of Baldwin Park and Industry (1), to Travers Tree Service, Inc., in amount of \$319,000.00.

Project ID No. GMEDSP0003 - Agoura Road Yard Remediation, vicinity of Agoura Hills (3), Apex Environmental Recovery, Inc., in amount of \$710,897.73.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board award these construction and maintenance services contracts and authorize the Director of Public Works or his designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including an addendum to the contract specifications for Project ID No. GMEDSP0003.

The recommended construction and maintenance services contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The award of these construction and maintenance services contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2004-05 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

ENVIRONMENTAL DOCUMENTATION

Project ID No. FMD0002041 was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for this project.

Project ID No. GMEDSP0003 is being undertaken in response to an order from the California Regional Water Quality Control Board to remediate contaminated soil at the Agoura Road Yard at 29773 West Mulholland Highway, Agoura, in accordance with the State Water Resources Board's Guidelines for Investigation and Cleanup of MTBE and other Oxygenates programs. Therefore, the remediation of contaminated soil at this location is not discretionary and is not subject to the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

The Honorable Board of Supervisors
September 7, 2004
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction and maintenance services contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

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Enc. 2

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
September 7, 2004

PROJECT ID NO. FMD0002042, SAN GABRIEL RIVER CLEARING 2004
(Cities of Baldwin Park and Industry), Supervisorial District 1

TYPE OF WORK: Environmentally sensitive removal of vegetation, litter, debris, and other foreign material and its disposal.

CALL FOR BIDS DATE: July 20, 2004 (Synopsis 40)

BID OPENING DATE: August 17, 2004

BID SUMMARY:

Low	Travers Tree Service, Inc., a corporation P.O. Box 7000-416 Palos Verdes Peninsula, California 90274 (310) 530-3920	\$319,000.00
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2	+United Pacific Services, Inc.	\$338,000.00
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+LSBE

FINANCIAL INFORMATION:

Amount of estimate	\$400,000.00
Amount of recommended contract	\$319,000.00
Amount of recommended contract below estimate	\$ 81,000.00

The amount of the recommended contract is 20 percent below the estimate.

Sufficient funds for this project are available to the Flood Control District for the Fiscal Year 2004-05.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Travers Tree Service, Inc., has no MWBE subcontractors/suppliers under this contract, which does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsection (e), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 50 calendar days. It is estimated that the work will start in September and be completed in November 2004.

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AWARD OF CONTRACT
September 7, 2004

PROJECT ID NO. GMEDSP0003, AGOURA ROAD YARD REMEDIATION
(in the vicinity of Agoura Hills), Supervisorial District 3

TYPE OF WORK: Excavation, transportation, and proper disposal of petroleum hydrocarbon contaminated soil; construction of compacted backfill material, base material, and asphalt concrete pavement; and other appurtenant work.

CALL FOR BIDS DATE: July 13, 2004 (Synopsis 26)

BID OPENING DATE: August 17, 2004

BID SUMMARY:

Low	*Apex Environmental Recovery, Inc., a corporation 2563 West Woodland Drive Anaheim, California 92801 (714) 995-9900	\$710,897.73
2	TRC Solutions, Inc.	\$732,316.98
3	*Geo-Cal, Inc.	\$786,038.00
4	Fleming Environmental, Inc.	\$787,880.00
5	NRC Environmental Services, Inc.	\$790,802.40
6	*Ocean Blue Environmental Services, Inc.	\$814,828.36

*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$772,280.00
Amount of recommended contract	\$710,897.73
Amount of recommended contract below estimate	\$ 61,382.27

The amount of the recommended contract is 7.9 percent below the engineer's estimate.

This project is included in the Fiscal Year 2004-05 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Apex Environmental Recovery, Inc., an MWBE, has no MWBE subcontractors/suppliers under this contract, which does not have a Federal or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

The Department has been ordered by the California Regional Water Quality Control Board to remediate contaminated soil at the Agoura Road Yard at 29773 West Mulholland Highway, Agoura, in accordance with the State Water Resources Board's Guidelines for Investigation and Cleanup of MTBE and other Oxygenates programs. Therefore, the remediation of contaminated soil at this location is not discretionary and is not subject to the provisions of the California Environmental Quality Act.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 30 working days. It is estimated that the work will start in October and be completed in November 2004.

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